



Office of Petitions  
MS Missing Parts  
PATENT  
0142-0456P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Marcus P.L. HUINCK Conf. No.: 2659  
Appl. No.: 10/827,290 Group: Unassigned  
Filed: April 20, 2004 Examiner: Unassigned  
For: HOT MELT INK COMPRISING A MIXTURE OF DYES

PETITION RESPONSIVE TO NOTICE OF  
INCOMPLETE NONPROVISIONAL APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 13, 2004

Sir:

The application papers for the above-identified application were originally filed on April 20, 2004, and the application was assigned Application No. 10/827,290.

DOCUMENTATION

Pursuant to the NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION mailed June 30, 2004, Applicants filed a Reply dated August 30, 2004, stating that there are no drawings in the present application (copy enclosed herewith). The Reply filed on August 30, 2004 addressed the misunderstanding that led to the assumption that there were missing drawings in the application; however, no fee was paid, unless it was charged to our Deposit Account 02-2448, nor was the application fully perfected with the Reply.

On September 20, 2004, Applicants perfected the application by response to the first Notice (dated June 30, 2004) together with submission of the originally signed Declaration, a signed Assignment for recordation, and a Preliminary Amendment to correct the specification where confusing language made reference to non-existent drawings. The Petition fee in the amount of \$130.00 was also paid with the submission (copies enclosed herewith).

It is likely that the NOTICE TO FILE MISSING PARTS, which was mailed on September 21, 2004, crossed in the mail with Applicants' response of September 20, 2004.

Therefore, Applicants believe that the reasons given in the Reply dated August 30, 2004 were sufficient to explain the absence of drawings in this application, and that all documents requested were submitted and all fees due were paid in accordance with the requirements of both Notices mailed on June 30, 2004 and September 21, 2004, respectively.

#### CONCLUSION

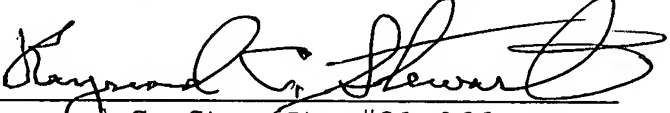
If necessary, the U.S. Patent Office is requested to treat the "Reply to Notice of Incomplete NonProvisional Application" filed on August 30, 2004, as a Petition.

Then, if necessary, please charge Deposit Account No. 02-2448 for the petition fee of \$130.00, pursuant to 37 CFR § 1.17(h).

If necessary, The Commissioner is hereby authorized in this reply, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17 or 1.17(h); particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066

RCS/kdm  
0142-0456P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Enclosures: Copy of Notice dated 6/30/04 and Reply thereto  
Copy of Notice dated September 21, 2004 and  
Responsive Transmittal thereto dated  
September 20, 2004



MS MISSING PARTS  
PATENT  
0142-0456P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Marcus P.L. HUINCK Conf.: 2659  
Appl. No.: 10/827,290 Group: UNASSIGNED  
Filed: April 20, 2004 Examiner: UNASSIGNED  
For: HOT MELT INK COMPRISING A MIXTURE OF  
DYES

THIS IS NOT A NEW PATENT APPLICATION  
LETTER SUBMITTING DOCUMENTS  
FOR COMPLETION OF AN APPLICATION  
PURSUANT TO 37 C.F.R. § 1.53(f) and/or § 1.53(d)

MS MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 20, 2004

Sir:

The application papers for the above-identified application were originally filed on April 20, 2004 and the application was assigned Appl. No. 10/827,290.

DOCUMENTATION

- ☒ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☒ original ☐ photocopy), necessary for completing the filing requirements in connection with the above-identified application.
- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached

to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on April 20, 2004, including any amendments thereto (if applicable) filed on even date therewith.

- ☒ The undersigned hereby declares that "Attorney Docket No. 0142-0456P " on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 10/827,290, filed April 20, 2004, entitled "HOT MELT INK COMPRISING A MIXTURE OF DYES."
- ☒ Attached is a copy of the Notice of Incomplete Nonprovisional Application.
- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
  - ☐ See the attached Translator's Verification; or
  - ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☐ Attached are \_\_\_\_\_ ( ) sheet(s) of formal drawings. Please substitute these corrected drawings for the corresponding \_\_\_\_\_ ( ) sheets of drawings on file in the above-identified application.
- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- ☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

- ☒ Submitted concurrently herewith under separate cover for recording is an Assignment.

### FEES

The Government Filing Surcharge(s) (37 C.F.R. § 1.16(e) and/or § 1.17(k)) and the basic Government Filing Fee(s) (37 C.F.R. § 1.16(a)-(d), if applicable) is/are attached hereto and calculated as follows:

- ☐ Basic Filing Fee(s): \$0.00 (37 C.F.R. § 1.16(a)-(d))
- ☒ The Government Filing Surcharge under 35 U.S.C. § 1.16(e) for late filing of filing fee, oath and/or declaration:
- ☒ Large Entity - \$130.00      ☐ Small Entity - \$ 65.00
- ☐ The Government Filing Surcharge under 37 C.F.R. § 1.17(i) for filing of translation of non-English Specification in the amount of \$130.00:
- ☐ was previously paid for concurrently with the filing of the application on .
- ☐ is attached hereto.
- ☐ Additional claim fee(s) under 37 C.F.R. § 1.16(b)-(d) in the amount of \$0.00; which have been calculated as follows:

	CURRENT NUMBER OF CLAIMS		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATES	ADDITIONAL FEE
TOTAL		-	20	=	0	\$18 (large)	\$0.00
INDEPENDENT		-	3	=	0	\$86 (large)	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$290 (large)	\$0.00
						TOTAL	\$0.00

- ☐ No extension fee is required because the undersigned has not yet received the Notice to File Missing Parts of Nonprovisional Application. However, if for some reason it is

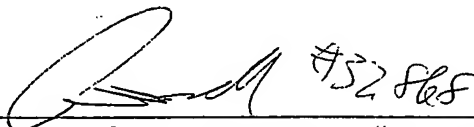
determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.

- ☒ Applicant hereby respectfully petitions for a one (1) month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$110.00 is attached hereto.
- ☒ Check(s) in the amount of \$240.00 to cover the basic filing fee(s), surcharge fee(s), additional claim fee(s), and any extension of time fee(s) (if applicable) is/are enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☐ No fee(s) required.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  \$52868  
Raymond C. Stewart, #21,066

RCS:anp  
0142-0456P

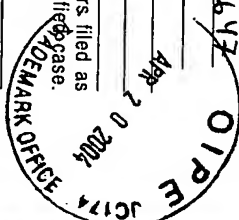
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 05/05/2004)



Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 4-20-04  
Handcarry: \_\_\_\_\_



- ☒ New Application with Transmittal Letter  
☒ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.114(RCE)  
☒ Specification Consisting of: 1 pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings        Sheets ☐ Formal ☐ Informal ☐ Red-link  
☐ Completion of Filing Requirements, PCT/DC/EO/905  
or Formalities Letter and Executed Declaration  
☒ Priority Document(s) / Cover Letter, No. Doc. 1  
☒ Amendment: Preliminary  
☐ Transmittal Ltr ☒ Large Entity ☐ Small Entity  
☐ Response         
☒ Information Disc Stmt. PTO-1449(s) 2 doc(s)  
☐ PTO/ISA/210  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal ☐ Sequence Listing  
☒ FEES: \$770.00 - CE. # 905647  
☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

DOCKET NO. 0142-0456P

Papers Filed herewith on: April 20, 2004  
DOCKET NO.: 0142-0456P ATTY: PCS  
APPLICANT(S): MARCUS P.L. HAINCK  
APPL. NO.: NEW FILED: April 20, 2004  
PAT. NO.: \_\_\_\_\_

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

## BUSINESS REPLY MAIL

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Postage Will Be Paid By Addressee

### Law Offices

Birch, Stewart, Kolasch & Birch, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747

17497 U.S. PTO  
10/827290



042004



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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/827,290	04/20/2004	Marcus P. L. Huinck	0142-0456P

02292  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747



*Petition  
Drawings  
Response*

CONFIRMATION NO. 2659

## FORMALITIES LETTER



\*OC000000013110007\*

Date Mailed: 06/30/2004



## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

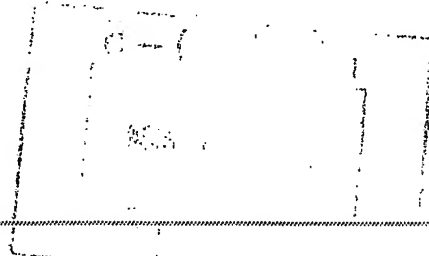
A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450



*A copy of this notice **MUST** be returned with the reply.*

B-m  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY